

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
STATE OF NEW YORK, et al.,

Plaintiff,

-v-

UNITED STATES DEPARTMENT OF COMMERCE, et al.,

Defendants.

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NEW YORK IMMIGRATION COALITION, et al.,

Plaintiff,

-v-

UNITED STATES DEPARTMENT OF COMMERCE, et al.,

Defendants.

----- X
JESSE M. FURMAN, United States District Judge:

On August 4, 2018, the Court adopted procedures proposed by the parties to promote coordination among these cases and the parallel cases pending in the Northern District of California and the District of Maryland. (Docket Nos. 221, 224). In reference to two items about which there was disagreement between the parties (namely, how to handle (1) requests for multiple depositions of particular witnesses and disagreements over the length of a deposition, and (2) discovery disputes arising during any deposition), the Court indicated that it would defer consideration until Judge Seeborg and Judge Hazel had decided whether to permit discovery in their cases, at which point the Court would “consult with the relevant judge.” (Docket No. 224).

18-CV-2921 (JMF)

18-CV-5025 (JMF)

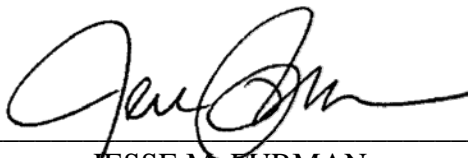
ORDER

Consistent with that Order and its remarks during the July 3, 2018 oral argument (Docket No. 207, at 93), the Court has now conferred with Judges Seeborg and Hazel — and intends to do so, as appropriate, going forward. Having done so, the Court’s view is that, for the time being, there is no need to adopt additional procedures to promote coordination among the parallel cases beyond those adopted in the Court’s August 4th Order. That said, counsel is cautioned that, in an effort to discourage the parties from seeking multiple bites at any particular apple, the Court will not lightly entertain efforts to relitigate discovery rulings made by one of the other Judges on an overlapping issue — unless the moving party can identify a material difference between Second Circuit law and the law of the applicable Judge’s Circuit or a material factual difference between these cases and the applicable Judge’s cases.

If, at any time, counsel believe that additional coordination procedures are warranted, counsel should confer with counsel in all the cases and submit a joint letter to the Court.

SO ORDERED.

Dated: August 31, 2018
New York, New York



JESSE M. FURMAN
United States District Judge